

REMARKS

The Examiner has requested that Applicants update the priority data and insert it on page 1, line 1 of the specification. Applicants have amended the specification to include a statement updating the priority data.

Previously presented claims 102-109 have been objected to because those claims are dependent upon a non-elected claim. Consequently, the Examiner has recommended that Applicants positively recite the limitations of claim 85 in claim 102. Applicants have amended claim 102 to recite the recommended limitations.

Claims 102-109 have been rejected under 35 USC 103(a) as being unpatentable over Provost et al. (US Pat. 5,692,271) in view of Roessler et al. (US Pat. 5,176,670) and Becker et al. (US Pat. 4,931,343). Applicants respectfully traverse these rejections.

It is true that the present invention can be rendered, in many respects, an improvement upon the roll-forming methods disclosed, for example, by Provost. However, one of ordinary skill in the art would not have been led by Roessler and Becker to modify Provost's method to produce Applicants' claimed invention.

Applicants' claim 102 features, in the context of various other elements, the molding of fastener element stems in particularly small cavities, adjacent a particularly narrow gap. In rolling fastener element tapes, the small size of the cavities is understood to require a relatively high molding pressure for adequate filling of the cavities. And, as explained by Applicants, the low nominal gap thickness is desirable for producing advantageously thin resin bases from which the fastener elements project.

The roll-forming methods taught by Provost have, for several reasons relating to manufacturing tolerances as explained by Applicants, been limited in their ability to produce thin hook bases. Some of these limitations relate specifically to the construction of the multi-plate mold roll, as recited in claim 102. For example, "typically, the thickness of the base of a fastener component is limited by the diametrical irregularities of the mold roll because of the potential for undesired contact between mold roll 508 and the pressure roll or extruder head 510 that applies the resin pressure. Finished mold rolls are very expensive, and accidental metal-to-metal contact

with the mold roll surface can cause substantial damage to the mold cavities.” (Applicants’ application, p.34, lines 1-6).

Applicants specifically traverse the assertion that the disclosure of Becker would have led one of ordinary skill in the art to modify Provost’s method to produce thinner hook bases, particularly when molding extremely small fastener elements as recited in claim 102. Becker merely shows stitching yarns into a preformed film. The films employed by Becker can be readily calendared to very low thickness, but that would not give anyone of ordinary skill in this art any clue of how to obtain thinner hook bases in the context of Provost’s method. As the Examiner is well aware, a prima facie case of obviousness requires more than locating each required claim feature within the prior art. Symbol Techs., Inc. v. Opticon, Inc., 935 F.2d 1569, 1576 (Fed. Cir. 1991) (“We do not pick and choose among the individual elements of assorted prior art references to recreate the claimed invention, but rather, we look for some teaching or suggestion in the references to support their use in the particular claimed combination.”).

Because a person of ordinary skill in the art would not have been motivated to combine the teachings of Provost with the teachings of Becker, Applicants respectfully request that the Examiner withdraw the rejection of independent claim 102 and claims 103-109, which depend from claim 102.

Applicant : Thomas G. Lacey et al.
Serial No. : 09/745,786
Filed : December 21, 2000
Page : 11 of 11

Attorney's Docket No.: 05918-083002 / 3281

Enclosed is a check in the amount of \$110 for the Petition for Extension of Time fee.
Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 10-24-03



Michael Hamlin
Reg. No. 54,149

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20736191.doc